

REMARKS/ARGUMENTS

Prior to entry of this amendment, claims 1-12, 14, 17-20, and 23-25 were pending in this application. Claims 1-3, 6, 10, 12, 14, 17, 19, 20, and 23-25 have been amended, no claims have been added, and claims 7, 9, and 11 have been canceled herein. Therefore, claims 1-6, 8, 10, 12, 14, 17-20, and 23-25 remain pending. Applicant respectfully requests reconsideration of these claims for at least the reasons presented below.

35 U.S.C. § 103 Rejection, Mukerjee in view of Wengrovitz

Claims 1, 3, 4, 6, 8-11, 17-20, 23, and 24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Pub. No. 2002/0160780 of Mukerjee et al. (hereinafter “Mukerjee”) in view of U.S. Patent Pub. No. 2003/0095569 of Wengrovitz et al. (hereinafter “Wengrovitz”). The Applicants respectfully submit that the Office Action does not establish a *prima facie* case of obviousness in rejecting these claims, as amended. Therefore, the Applicants request reconsideration and withdrawal of the rejection.

In order to establish a *prima facie* case of obviousness, all claimed limitations must first be taught or suggested by the prior art. See, e.g., *DyStar Textilfarben GmbH & Co. Deutschland KG v. C.H. Patrick Co.*, 464 F.3d 1356, 1360 (Fed. Cir. 2006). The Office Action must then provide an explicit analysis supporting the rejection. See *KSR Int'l Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1741 (2007) (“a patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art”). While the Office Action can use one of several exemplary rationales from the MPEP to support an obviousness rejection under *KSR*, all the rationales still require the Office Action to demonstrate that all the claim elements are shown in the prior art. See MPEP §2143. As will be discussed below, the references cited by the Office Action do not teach or suggest each claimed limitation. For example, none of the references, alone or in combination, teach or suggest a demarcation device as recited in the pending claims.

Mukerjee is directed to “an apparatus and a method for ringing a subscriber’s wired and wireless mobile stations concurrently based upon a call to that particular subscriber’s published number.” (paragraph 2) Under Mukerjee “the call is routed to a network interface point of control from either the wired or wireless networks and the network interface becomes the point of control for the call.” (paragraph 11) However, Mukerjee does not teach or suggest a demarcation device as recited in the pending claims, i.e., a demarcation device at a user’s location and connected to a number of phones of different types (e.g., wired phones, SIP phones, cordless phones) such that the phones channel communications through the demarcation device before their respective networks. Rather, Mukerjee describes the network interface which is not at the user’s location and which communicates with the various phones through their respective networks. See for example FIG. 2 and the accompanying description at paragraphs 26-42. Furthermore, Mukerjee does not teach or suggest a demarcation device as recited in the pending claims also connected with a wireless network or receiving a call to a wireless phone and determining whether to route the call to any of the other phones.

Wengrovitz is directed to “integrating a legacy Private Branch Exchange (PBX) system with a Session Internet Protocol (SIP) network.” (paragraph 2) Wengrovitz:

“Provides for an adapter, referred to as a SIP Adapter Module (SAM) that couples a PBX system to a SIP network. The adapter couples the PBX switch with a telephone set. Further, the adapter has a port for coupling to a SIP network. The adapter has a converter for translating between the telecommunication signalling and voice in the PBX domain, referred to as private digital signalling and voice (PDSV), and the packetized SIP signalling and voice in the IP network domain. This enables SIP User Agents to access the telephone sets and features in an existing legacy PBX system, to make and place calls to and from the public switched telephone network (PSTN), and to continue to access other SIP User Agents and services on the SIP network.” (paragraph 6)

However, Wengrovitz does not teach or suggest, alone or in combination with Mukerjee, a demarcation device as recited in the pending claims, i.e., a demarcation device at a user’s location and connected to a number of phones of different types (e.g., wired phones, SIP

phones, cordless phones) such that the phones channel communications through the demarcation device before their respective networks. Rather, Wengrovitz describes an adapter that converts between signaling of a PBX domain and SIP signaling so that SIP networks can be integrated with legacy PBXes. Furthermore, Wengrovitz does not teach or suggest a demarcation device as recited in the pending claims also connected with a wireless network or receiving a call to a wireless phone and determining whether to route the call to any of the other phones.

Claim 1, upon which claims 2-6, and 8 depend, recites in part “a demarcation device coupled to the first, second, and third communication channels, the demarcation device communicatively coupled with the wireless network via a wireless interface, the demarcation device disposed at the user location, the demarcation device interposed between the first, second, and third communication channels, the demarcation device interposed between a PSTN and the one or more wired phones at the user location wherein the wired phones channel communications through the demarcation device before the PSTN, the demarcation device interposed between the PSTN and the cordless phone wherein the cordless phone channels communications through the demarcation device before the PSTN, the demarcation device interposed between the Internet and the wired phones, and wherein the demarcation device is interposed between the Internet and the one or more SIP phones and the SIP phones channel communications through the demarcation device before the Internet, wherein the demarcation device receives an incoming phone call on the wireless network directed to the telephone number for the wireless phone, and wherein the demarcation device determines if the first, second, and third communication channels should be simultaneously sent the incoming phone call directed to the telephone number for the wireless phone.” None of the references, alone or in combination, teach or suggest a demarcation device, at a user’s location, interposed between a PSTN and Internet and with channels to different phones, which is also coupled with a wireless network and which receives an incoming phone call on the wireless network directed to the telephone number for the wireless phone. Furthermore, none of the references teach or suggest such a device determining if the communication channels should be simultaneously sent the incoming phone

call directed to the telephone number for the wireless phone. For at least these reasons, the Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim 10, upon which claims 12 and 14 depend, recites in part “routing an incoming phone call to a demarcation device, the incoming phone call is directed to a wireless phone with a telephone number; receiving the incoming phone call at the demarcation device, the demarcation device having a wireless interface, the demarcation device disposed at the user facility, the demarcation device coupled to one or more wired phones at the user facility, the demarcation device interposed between a PSTN and the one or more wired phones at the user facility and accessible with a phone number, the demarcation device interposed between an Internet and the one or more wired phones, and the demarcation device interposed between the Internet and one or more SIP phones at the user facility; determining with the demarcation device if the wireless phone should be sent the incoming phone call; and determining with the demarcation device if the incoming phone call should be routed to one or more of the wired phones and SIP phones; and routing the incoming phone call to one or more of the wired phones and SIP phones.” None of the references teach or suggest receiving an incoming phone call for a wireless phone at the demarcation device disposed at the user facility, having a wireless interface, coupled to one or more wired phones and SIP phones at the user facility, the demarcation device interposed between a PSTN and the one or more wired phones. Furthermore, none of the references teach or suggest determining with such a demarcation device if the wireless phone should be sent the incoming phone call and determining with the demarcation device if the incoming phone call should be routed to one or more of the wired phones and SIP phones and routing the incoming phone call to one or more of the wired phones and SIP phones. For at least these reasons, the Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim 17, upon which claims 18-20 and 23-25 depend, recites in part “routing the incoming phone call to a demarcation device having a wireless interface, the demarcation device disposed at a user location, the demarcation device coupled to one or more wired phones at the

user location, the demarcation device interposed between the one or more wired phones and a phone call transport network, the demarcation device interposed between an Internet and the one or more wired phones, and between the Internet and one or more SIP phones at the user location, wherein the wired phones channel communications through the demarcation device before the phone call transportation network, wherein the SIP phones channel communications through the demarcation device before the Internet, wherein the wireless phone and the one or more wired phones are accessible with a telephone number, and wherein the first and second-listed routing steps are performed, at least partially, simultaneously; determining with the demarcation device if the wireless phone should be sent the incoming phone call; and determining with the demarcation device if the one or more wired phones or one or more SIP phones should be sent the incoming phone call.” None of the references teach or suggest, alone or in combination, routing an incoming phone call for a wireless device to a demarcation device having a wireless interface, the demarcation device disposed at a user location, the demarcation device coupled to one or more wired phones at the user location, the demarcation device interposed between the one or more wired phones and a phone call transport network, the demarcation device interposed between an Internet and the one or more wired phones, and between the Internet and one or more SIP phones at the user location, wherein the wired phones channel communications through the demarcation device before the phone call transportation network, wherein the SIP phones channel communications through the demarcation device before the Internet, wherein the wireless phone and the one or more wired phones are accessible with a telephone number. Furthermore, none of the references teach or suggest, alone or in combination, determining with the demarcation device if the wireless phone should be sent the incoming phone call and determining with the demarcation device if the one or more wired phones or one or more SIP phones should be sent the incoming phone call. For at least these reasons, the Applicants respectfully request reconsideration and withdrawal of the rejection.

35 U.S.C. § 103 Rejection, Mukerjee in view of Wengrovitz and further in view of Levine

Claims 12, 14, and 25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mukerjee in view of Wengrovitz and further in view of U.S. Patent No. 6,816,582 to Levine et al. (hereinafter "Levine"). The Applicants respectfully request withdrawal of the rejection and allowance of the claims for at least the reason that claims 12, 14, and 25 each depend upon a base claim that is thought to be allowable as discussed in detail above.

35 U.S.C. § 103 Rejection, Mukerjee in view of Wengrovitz and further in view of Forte

Claim 2 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mukerjee in view of Wengrovitz and further in view of U.S. Patent No. 7,162,020 to Forte (hereinafter "Forte"). The Applicants respectfully request withdrawal of the rejection and allowance of the claims for at least the reason that claim 2 depends upon a base claim that is thought to be allowable as discussed in detail above.

35 U.S.C. § 103 Rejection, Mukerjee in view of Wengrovitz and further in view of Hokusui

Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mukerjee in view of Wengrovitz and further in view of U.S. Patent Pub. No. 2004/0170268 of Hokusui (hereinafter "Hokusui"). The Applicants respectfully request withdrawal of the rejection and allowance of the claims for at least the reason that claim 5 depends upon a base claim that is thought to be allowable as discussed in detail above.

35 U.S.C. § 103 Rejection, Forte in view of Wengrovitz and further in view of Levine

Claims 1-4, 8-12, 14, 17-21, and 23-25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Forte in view of Wengrovitz and further in view of Levine. The Applicants respectfully submit that the Office Action does not establish a *prima facie* case

of obviousness in rejecting these claims, as amended. Therefore, the Applicants request reconsideration and withdrawal of the rejection.

As noted above, Wengrovitz is directed to “integrating a legacy Private Branch Exchange (PBX) system with a Session Internet Protocol (SIP) network.” (paragraph 2) However, Wengrovitz does not teach or suggest, alone or in combination with Mukurjee, a demarcation device as recited in the pending claims, i.e., a demarcation device at a user’s location and connected to a number of phones of different types (e.g., wired phones, SIP phones, cordless phones) such that the phones channel communications through the demarcation device before their respective networks. Rather, Wengrovitz describes an adapter that converts between signaling of a PBX domain and SIP signaling so that SIP networks can be integrated with legacy PBXes. Furthermore, Wengrovitz does not teach or suggest a demarcation device as recited in the pending claims also connected with a wireless network or receiving a call to a wireless phone and determining whether to route the call to any of the other phones.

Forte is directed to “a system for (and a method of) selectively establishing communication with one of plural devices associated with a single telephone number.” (Col. 2, lines 54-56) The system of Forte “includes a wireless connect unit connected between an enterprise private branch exchange (PBX) network and a public switched telephone network. The wireless connect unit preferably serves as a gateway between the PBX and one or more remote communication devices.” However, Forte does not teach or suggest, alone or in combination with Wengrovitz, a demarcation device as recited in the pending claims, i.e., a demarcation device at a user’s location and connected to a number of phones of different types (e.g., wired phones, SIP phones, cordless phones) such that the phones channel communications through the demarcation device before their respective networks. Rather, like Mukurjee discussed above, Forte describes the wireless connect unit which is not at the user’s location and which communicates with the various phones through their respective networks. See for example FIG. 1 and the accompanying description, for example, at col. 3, line 63 – col. 5 line 34. Furthermore, Forte does not teach or suggest a demarcation device as recited in the pending

claims also connected with a wireless network or receiving a call to a wireless phone and determining whether to route the call to any of the other phones.

Levine is directed to “attempting to connect the calling party to the called party by simultaneously ringing numbers in an alternative number list associated with a main number of the called party.” Levine “utilizes a Simultaneous Ring Application that is installed on a Service Control Point (SCP). The Simultaneous Ring Application (SRA) can be implemented as a software and/or hardware application executable by the SCP.” (Col. 2, lines 10-14) However, Levine does not teach or suggest, alone or in combination with the other references, a demarcation device as recited in the pending claims, i.e., a demarcation device at a user’s location and connected to a number of phones of different types (e.g., wired phones, SIP phones, cordless phones) such that the phones channel communications through the demarcation device before their respective networks. Rather, like Forte discussed above, Levine describes the SCP which is not at the user’s location and which communicates with the various phones through their respective networks. See for example FIG. 1 and the accompanying description, for example, at col. 3, line 6 – col. 5 line 6. Furthermore, Levine does not teach or suggest a demarcation device as recited in the pending claims also connected with a wireless network or receiving a call to a wireless phone and determining whether to route the call to any of the other phones.

Claim 1, upon which claims 2-6, and 8 depend, recites in part “a demarcation device coupled to the first, second, and third communication channels, the demarcation device communicatively coupled with the wireless network via a wireless interface, the demarcation device disposed at the user location, the demarcation device interposed between the first, second, and third communication channels, the demarcation device interposed between a PSTN and the one or more wired phones at the user location wherein the wired phones channel communications through the demarcation device before the PSTN, the demarcation device interposed between the PSTN and the cordless phone wherein the cordless phone channels communications through the demarcation device before the PSTN, the demarcation device

interposed between the Internet and the wired phones, and wherein the demarcation device is interposed between the Internet and the one or more SIP phones and the SIP phones channel communications through the demarcation device before the Internet, wherein the demarcation device receives an incoming phone call on the wireless network directed to the telephone number for the wireless phone, and wherein the demarcation device determines if the first, second, and third communication channels should be simultaneously sent the incoming phone call directed to the telephone number for the wireless phone.” None of the references, alone or in combination, teach or suggest a demarcation device, at a user’s location, interposed between a PSTN and Internet and with channels to different phones, which is also coupled with a wireless network and which receives an incoming phone call on the wireless network directed to the telephone number for the wireless phone. Furthermore, none of the references teach or suggest such a device determining if the communication channels should be simultaneously sent the incoming phone call directed to the telephone number for the wireless phone. For at least these reasons, the Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim 10, upon which claims 12 and 14 depend, recites in part “routing an incoming phone call to a demarcation device, the incoming phone call is directed to a wireless phone with a telephone number; receiving the incoming phone call at the demarcation device, the demarcation device having a wireless interface, the demarcation device disposed at the user facility, the demarcation device coupled to one or more wired phones at the user facility, the demarcation device interposed between a PSTN and the one or more wired phones at the user facility and accessible with a phone number, the demarcation device interposed between an Internet and the one or more wired phones, and the demarcation device interposed between the Internet and one or more SIP phones at the user facility; determining with the demarcation device if the wireless phone should be sent the incoming phone call; and determining with the demarcation device if the incoming phone call should be routed to one or more of the wired phones and SIP phones; and routing the incoming phone call to one or more of the wired phones and SIP phones.” None of the references teach or suggest receiving an incoming phone call for a wireless phone at the demarcation device disposed at the user facility, having a wireless

interface, coupled to one or more wired phones and SIP phones at the user facility, the demarcation device interposed between a PSTN and the one or more wired phones. Furthermore, none of the references teach or suggest determining with such a demarcation device if the wireless phone should be sent the incoming phone call and determining with the demarcation device if the incoming phone call should be routed to one or more of the wired phones and SIP phones and routing the incoming phone call to one or more of the wired phones and SIP phones. For at least these reasons, the Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim 17, upon which claims 18-20 and 23-25 depend, recites in part “routing the incoming phone call to a demarcation device having a wireless interface, the demarcation device disposed at a user location, the demarcation device coupled to one or more wired phones at the user location, the demarcation device interposed between the one or more wired phones and a phone call transport network, the demarcation device interposed between an Internet and the one or more wired phones, and between the Internet and one or more SIP phones at the user location, wherein the wired phones channel communications through the demarcation device before the phone call transportation network, wherein the SIP phones channel communications through the demarcation device before the Internet, wherein the wireless phone and the one or more wired phones are accessible with a telephone number, and wherein the first and second-listed routing steps are performed, at least partially, simultaneously; determining with the demarcation device if the wireless phone should be sent the incoming phone call; and determining with the demarcation device if the one or more wired phones or one or more SIP phones should be sent the incoming phone call.” None of the references teach or suggest, alone or in combination, routing an incoming phone call for a wireless device to a demarcation device having a wireless interface, the demarcation device disposed at a user location, the demarcation device coupled to one or more wired phones at the user location, the demarcation device interposed between the one or more wired phones and a phone call transport network, the demarcation device interposed between an Internet and the one or more wired phones, and between the Internet and one or more SIP phones at the user location, wherein the wired phones channel communications through the

demarcation device before the phone call transportation network, wherein the SIP phones channel communications through the demarcation device before the Internet, wherein the wireless phone and the one or more wired phones are accessible with a telephone number. Furthermore, none of the references teach or suggest, alone or in combination, determining with the demarcation device if the wireless phone should be sent the incoming phone call and determining with the demarcation device if the one or more wired phones or one or more SIP phones should be sent the incoming phone call. For at least these reasons, the Applicants respectfully request reconsideration and withdrawal of the rejection.

35 U.S.C. § 103 Rejection, Forte in view of Wengrovitz and further in view of Levine and in further view of Hakusui

Claims 5-7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Forte in view of Wengrovitz and further in view of Levine and in further view of Hakusui. The Applicants respectfully request withdrawal of the rejection and allowance of the claims for at least the reason that claims 5-7 each depend upon a base claim that is thought to be allowable as discussed in detail above.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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